

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JAMES W. MYART JR.,

Plaintiff,

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SA-19-CV-00507-OLG

VS.

STEVEN P. MACH, DPS, CHAIRMAN;
STEVEN C. MCCRAW, DIRECTOR,
TEXAS DEPARTMENT OF PUBLIC
SAFETY; RHONDA FLEMING, JACOB
LAVENDER, TROOPER, DEPT. OF
PUBLIC SAFETY; KENT COLEMAN,
TROOPER, TEXAS DEPT. OF PUBLIC
SAFETY; ROBERT DRIGGERS,
TROOPER, TEXAS DEPT. OF PUBLIC
SAFETY; PHILIP AYALA, TEXAS
DEPARTMENT OF PUBLIC SAFETY,
STATE OF TEXAS, CITY OF SAN
ANTONIO, RON NIRENBERG,
MAYOR, CITY OF SAN ANTONIO;
WILLIAM P. MCMANUS, CHIEF OF
SAN ANTONIO POLICE
DEPARTMENT; AND ERIK WALSH,

Defendants.

ORDER

Before the Court in the above-styled cause of action is Plaintiff's Motion for Extension of Time to Respond to Show Cause Order [#70] and Plaintiff's Supplement to Doc. #70 [#71]. By his motion, Plaintiff asks the Court for an additional 70 days to respond to the Court's Show Cause Order dated March 3, 2020. The Court will grant the motion in part and give Plaintiff an additional 30 days to respond. The Show Cause Order simply ordered Plaintiff to inform the Court of the issues he intends to appeal to the Fifth Circuit in this case. The Court needs this information so the Court can determine whether any of these issues are nonfrivolous such that Plaintiff should be permitted to proceed in his appeal without paying court costs. Plaintiff does not need to brief the legal issues he is raising on appeal, only identify the legal issues for the

Court. Due to Plaintiff's compromised vision, the Court encourages him to dictate the contents of his filing using dictation software or to another individual for his signature.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Extension of Time to Respond to Show Cause Order [#70] is **GRANTED IN PART**.

IT IS FURTHER ORDERED that Plaintiff file a **RESPONSE** to the Court's Show Cause Order [#68] **on or before April 25, 2020** or face denial of his IFP application.

IT IS FINALLY ORDERED that in all other respects the Motion [#70] is **DENIED**.

SIGNED this 25th day of March, 2020.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE